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Attorneys for Defendant
KATE E. BLOCH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN C. McMUNIGAL,

Plaintiff,

vs.

KATE E. BLOCH,

Defendant.

Case No. 10-CV-2765 PVT

**STIPULATION (1) TO CONTINUE
HEARING ON DEFENDANT'S
MOTION TO DISMISS, (2) TO EXTEND
MEDIATION DEADLINE, AND (3) TO
CONTINUE CASE MANAGEMENT**

1 WHEREAS on September 21, 2010, Defendant filed a Motion to Dismiss the entire
2 Complaint and noticed the motion for hearing on November 2, 2010 at 9:00 a.m and Plaintiff has
3 asked that the hearing on the Motion to Dismiss be continued;

4 WHEREAS the initial Case Management Conference is scheduled for October 26, 2010
5 at 2:30 p.m. and Plaintiff's counsel is unavailable on that date and the parties believe it is in the
6 interests of justice to hold the Case Management Conference after a ruling on the pending
7 Motion to Dismiss; and

8 WHEREAS the deadline to complete mediation through the Court's ADR Program is
9 November 24, 2010, but due to the parties' teaching obligations such deadline is difficult to
10 meet, and the parties and the Court-appointed mediator have agreed to mediate the case on
11 December 10, 2010;

12 The parties stipulate and agree to the following:

13 1. The hearing on Defendant's motion to dismiss is continued to December 20, 2010
14 at 9:00 a.m. Plaintiff shall file and serve his opposition on or before October 29, 2010 and
15 Defendant shall file and serve her reply on or before November 19, 2010;

16 2. The deadline to complete mediation is continued from November 24, 2010 to
17 December 10, 2010;

18 3. The initial Case Management Conference shall be held after a ruling on the
19 pending Motion to Dismiss; accordingly, it is continued to January 28, 2011.

20 DATED: October 7, 2010

LAW OFFICES OF MATTHEW B. PAVONE

21 By s/Matthew B. Pavone

22 MATTHEW B. PAVONE

23 Attorneys for Plaintiff

KEVIN C. McMUNIGAL

24 DATED: October 7, 2010

KERR & WAGSTAFFE LLP

25 By s/Jacqueline Scott Corley

26 JACQUELINE SCOTT CORLEY

27 Attorneys for Defendant

28 KATE E. BLOCH

IT IS SO ORDERED.



DATED: _____, 2010

THE HONORABLE SUSAN ILLSTON

WHEREAS on September 21, 2010, Defendant filed a Motion to Dismiss the entire Complaint and noticed the motion for hearing on November 2, 2010 at 9:00 a.m and Plaintiff has asked that the hearing on the Motion to Dismiss be continued;

WHEREAS the initial Case Management Conference is scheduled for October 26, 2010 at 2:30 p.m. and Plaintiff's counsel is unavailable on that date and the parties believe it is in the interests of justice to hold the Case Management Conference after a ruling on the pending Motion to Dismiss; and

WHEREAS the deadline to complete mediation through the Court's ADR Program is November 24, 2010, but due to the parties' teaching obligations such deadline is difficult to meet, and the parties and the Court-appointed mediator have agreed to mediate the case on December 10, 2010;

The parties stipulate and agree to the following:

1. The hearing on Defendant's motion to dismiss is continued to December 20, 2010 at 9:00 a.m. Plaintiff shall file and serve his opposition on or before October 29, 2010 and Defendant shall file and serve her reply on or before November 19, 2010;

2. The deadline to complete mediation is continued from November 24, 2010 to December 10, 2010;

3. The initial Case Management Conference shall be held after a ruling on the pending Motion to Dismiss; accordingly, it is continued to January 28, 2011.

DATED: October 7, 2010

LAW OFFICES OF MATTHEW B. PAVONE

By



MATTHEW B. PAVONE

Attorneys for Plaintiff

KEVIN C. McMUNIGAL

DATED: October 7, 2010

KERR & WAGSTAFFE LLP

By



JACQUELINE SCOTT CORLEY

Attorneys for Defendant

KATE E. BLOCH